

CHAPTER XCII.

An Act for the support and better regulation of Common Schools in the town of Sauk Centre.

March 5, 1869.

- SECTION 1. Boundary lines of said School District.
2. When electors of said district to meet to elect School Directors—term of office—vacancies, how filled.
 3. Who to be Judges of Election.
 4. Persons elected to office to take and subscribe the usual oath—when to meet for permanent organization—Treasurer to give bond conditioned for faithful performance of duties—name and style of said Board.
 5. When regular meetings may be held—what to constitute a quorum.
 6. Board to have management and control of all schools and of all property and appurtenances within said district, etc.
 7. Upon realization of sufficient funds Board may establish graded schools—names and branches of study in the several departments.
 8. The Board to make and enforce all necessary rules and regulations for the government of teachers and pupils, etc.
 9. When to determine the amount deemed necessary to be raised to defray incidental expenses of schools, etc.—how collected.
 10. Board of Education to elect some suitable person Superintendent of Common Schools—term of office.
 11. Duties of Superintendent.
 12. Board may adopt by-laws and regulations relating to the organization of said Board.
 13. Duties of Secretary of said Board.
 14. If deemed necessary by the Board to rent a school house or purchase a site for the same, the question to be submitted to the legal voters of said School District.
 15. Who to receive compensation for services.
 16. Repeal of inconsistent acts.
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Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all that part of the town of Sauk Centre, in the county of Stearns, hereinafter described, to wit: the southwest quarter of the northeast quarter, the

Boundary lines
of district.

west half of the southeast quarter, the southwest and lots number two (2), three (3) [and] four (4) of section number three (3), all of section number four (4), the east half of section five (5), the east half of section number eight (8), all of section number nine (9); the northwest quarter and the southwest quarter and the west half of the northeast quarter and the west half of the southeast quarter of section number ten (10), the northwest quarter of section number fifteen (15), the north half of section number sixteen (16), and the northeast quarter of section number seventeen (17), all in township number one hundred and twenty-six (126), north of range number thirty-four (34) west of the fifth principal meridian, shall, from and after the last Saturday in March, one thousand eight hundred and sixty-nine, constitute in law one separate and independent school district.

When to meet
to elect directors
—term of office
—vacancies,
how filled.

SEC. 2. The electors residing within the limits of said district qualified to vote at an annual school meeting therein, shall, on the last Saturday in March, A. D. one thousand eight hundred and sixty-nine, at an election to be held at the school house in said district, elect by ballot six directors of the common schools in said district, two of whom shall be elected for one year, two for two years and two for three years, and annually thereafter on the last Saturday of March, at the same place, or such other suitable place in said district as the board of education shall appoint therefor, there shall in like manner be elected two directors, whose regular term of office shall continue for three years, and until their successors are elected and qualified. All vacancies which may occur shall be filled by the remainder of the board until the next annual election, when a new director shall be elected to serve for such unexpired term. Any qualified elector of said district is eligible to the office of director.

Who to be judges
of election.

SEC. 3. At the first election of directors for said district, the director of school district number twenty-four, in the county of Stearns, shall preside and receive the ballots, and the clerk of said district shall act as clerk of said meeting, and the said director and clerk shall canvass the vote cast at said election; and at all subsequent elections and meetings of said district the president of the board shall preside and the secretary of the board shall act as clerk; and in case of the absence or inability to serve of either of said officers, one of the other directors, to be designated by the members of the board present,

shall serve in his stead. At the annual election of directors, the polls shall be kept open from ten o'clock A. M. till twelve o'clock M., and from one o'clock to four o'clock in the afternoon.

SEC. 4. The persons elected to the office of directors shall, before entering upon the duties of said office and within ten days after his election, take and subscribe the usual oath of office prescribed by law, which shall be filed with the clerk of the board. The said directors, within ten days after their first election as aforesaid, shall meet and organize by choosing from their number a president, secretary and treasurer, and annually thereafter at the first meeting of the board after the annual election of directors, the said board shall reorganize in like manner. The treasurer shall, before entering upon the duties of his office, enter into a bond to the board in their corporate name in such amount as the board shall require, with sureties to be approved by the board, conditioned for his faithful discharge of the duties of said office and the due and lawful disbursement of the moneys that shall come into his hands as such officer, and the payment to his successor of all such moneys belonging to the board remaining in his hands at the expiration of his term of office, with the books and other property pertaining thereto, which bond shall be filed in the office of the clerk of the board. The said directors, so organized and qualified, and their successors in office, shall be a body politic and corporate in law, by the name of "the Board of Education of the Town of Sauk Centre," and as such and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in any of the courts of this state, and shall also be capable of receiving any gift, grant, donation or devise, made for the use of the common schools in said district. The said board shall be authorized to receive all moneys accruing to said district, and shall, by resolution, direct the payment of all moneys that shall into the treasury thereof, and no moneys shall be paid out of the treasury except in pursuance of such resolution and upon the written order of the president, countersigned by the secretary.

Officers to take oath—when to meet for permanent organization—Treasurer to give bond—name and style of said board.

SEC. 5. The said board shall hold their meetings at such times and places as they may deem proper, and special meetings may be called by the president, or any two members of the board on giving to the other members one day's notice in writing of the time, place and object

When regular meetings to be held—quorum.

of holding such meeting. Any four members of the board shall constitute a quorum for the transaction of business.

SEC. 6. The said board of education shall have the entire management and control of all common schools in the said district, and of all the houses, lands and appurtenances, within the limits of said district already provided or that may be hereafter provided for the use of the common schools therein, and all moneys accruing to the said district for school purposes, shall be paid over to the treasurer of said board of education, and the title of all real estate and personal property now belonging to the said school district number twenty-four in the county of Stearns, for school purposes, shall be regarded in law as vested in the said board of education, and their successors in office for the use of the common schools in the district hereby established, and the said board of education shall succeed to all the rights and liabilities of said district number twenty-four. And all property hereinafter acquired by said district hereby established for common school purposes shall be vested in the said board of education, and said board may sell or dispose of any property held by it for the use of the common schools, by deed to be executed by the president thereof, whenever the electors of the said district at any meeting thereof called as provided in section fourteen of this act, shall vote for such sale or disposal of said property.

Board to control all school property in said district.

When may establish graded schools—names and branches of study.

SEC. 7. It shall be the duty of said board of education as soon as sufficient funds shall be realized therefor, to establish and maintain within the limits of said district, such number and grades of schools as the said board shall deem for the best interest of said district, provided the number of grades shall not exceed three, to-wit: Primary department, intermediate department, and high school department, and to classify the pupils attending said schools in corresponding classes with reference to the branches of studies pursued and their proficiency therein, so that there shall be paid in the primary department the rudiments of an English education, in the intermediate department such branches as are not provided for in the primary department, and are requisite to a respectable English education, and in the high school department the higher English branches.

SEC. 8. The said board of education subject to the provisions of section seven, shall have power to determine what various studies and parts of studies shall be taught

in any and all of said schools, to make and enforce all necessary rules and regulations for the government of teachers and pupils in said schools, and for the management of said schools, and for the care and protection of the property of said district, to employ teachers, male and female, and to pay them a suitable compensation out of the fund accruing to the district, under the general laws of the state or otherwise, and appropriated to that purpose; and also to purchase for the use of the schools in said district all necessary books, apparatus and furniture, and all necessary books, stationery and furniture for the use of said board, and pay for the same out of funds of the district raised for incidental expenses.

To make rules for government of teachers and pupils.

SEC. 9. The said board shall, previous to the first day of September in each year, determine the amount deemed necessary to be raised to defray all the incidental expenses of maintaining the schools of said district, and to keep in repair, and preserve the building of the said district and other public property thereof, and to meet any indebtedness of the district becoming due during the next succeeding year, and the secretary shall certify the same, and any amount voted to be raised by the electors of said district, to the county auditor of the county on or before the first day of September in each year, and the amount so reported shall be levied upon the taxable property in said district and collected in the same manner that county taxes are raised; *Provided*, Such tax shall not in any one year exceed five mills on the dollar of the taxable property said district.

When to determine amount to be raised for incidental expenses—how collected.

SEC. 10. The said board of education shall immediately after organizing and qualifying and once in three years thereafter and whenever a vacancy in said office occurs, elect some suitable person, resident in said district, superintendent of common schools of said town of Sauk Centre, whose term of office shall continue three years, and till his successor is elected and qualified. The board may by resolution expel any superintendent from office for inefficiency, neglect of duty or malfeasance in office and may determine when a vacancy occurs therein.

To elect superintendent—term of office.

SEC. 11. It shall be the duty of said superintendent at such times as the board may direct, and at least once in each term, to visit and examine all the schools in said district, and to report the condition thereof, and the proficiency of the pupils therein, with reference to graduation, and such other matters as he may deem proper, or

Duties of superintendent.

as the board may require. It shall also be the duty of the superintendent to examine all applicants for employment as teachers in any of said schools as to learning, moral character and ability, and if on such examination the applicant is found qualified to give him or her a certificate naming the department in which and the branches he or she is qualified to teach. The said superintendent shall also, for good reason have power to annul any certificate granted by him or his predecessor, subject to the approval of the board, and thereupon the person holding the same shall become disqualified from teaching in said schools. Any certificate so granted shall continue in force for such time as shall be therein designated not to exceed three years, unless sooner revoked, and shall qualify the person to whom it is issued to be employed as teacher in the schools of said district, in the department mentioned therein during such term. No person shall be employed as teacher in any of said schools until such examination is had and certificate granted.

To adopt rules
for organization.

SEC. 12. The said board of education shall have power to enact and prescribe by-laws, rules and regulations not inconsistent herewith relating to the organization, government and business of the board and the duties of its officers, and annul and repeal the same at pleasure.

Duties of secre-
tary of board.

SEC. 13. It shall be the duty of the secretary to keep a full and accurate record of the proceedings of the board of education and of all meetings of the electors of said district, which record shall be authenticated by his signature, and carefully to preserve the said records, and all books and papers pertaining to his office or filed therein. Said original records and papers duly filed in the office of said secretary, and any transcript thereof or any part thereof when certified by the secretary, shall be prima facie evidence of the matters therein stated. And said records and papers shall be at all reasonable times subject to the inspection of any legal voter of said district. The secretary shall also make and duly transmit annually, such reports as are required by the general laws of this state relating to common schools to be made by clerks of school districts, and in all matters pertaining to such reports, the secretary shall be governed by such general laws and subject to the penalties therein prescribed.

SEC. 14. Whenever said board of education shall deem it necessary to purchase or rent a school house or school houses for said district, or purchase a site or sites for the

same, or whenever ten legal voters of said district shall in writing request them so to do they shall call a meeting of the legal voters of said district by giving at least ten days' notice of the time, and place and object of said meeting by publishing the same in some newspaper printed in said town of Sauk Centre, or if there be none, then by posting three copies of such notice in three public places in said district, and said meeting may, by majority vote of the electors present, determine upon the erection or a purchase of a school house or school houses, and the purchase of a site or sites therefor, and the amount of money to be raised by tax therefor, and it shall be the duty of the board to carry into effect the determination of said meeting by the expenditure of the moneys so raised for the purposes designated by vote of said meeting, within a reasonable time after the money shall be received into the treasury. And the board may also in pursuance of a vote of the electors at any annual or duly called special meeting thereof, issue bonds or orders of the said board for such amounts and upon such terms of payment and interest as shall be determined by such vote, for any of the purposes specified in this section, and may provide for the payment thereof and the interest thereupon, as the same shall become due, by tax upon the taxable property of said district, in the same manner as is hereinafter provided for incidental expenses.

May rent or purchase site—to be submitted to legal voters.

SEC. 15. No member of the board, excepting the secretary and treasurer, shall receive any compensation for services, the secretary, treasurer and superintendent shall be entitled to receive such compensation as the board shall determine.

Who to receive compensation.

SEC. 16. So much of the several school laws, and so much of any and all other acts or parts of acts as are inconsistent with the provisions of this act are hereby repealed as to the district hereby established.

Repeal of inconsistent acts.

SEC. 17. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 5, 1869.